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# UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/681,183 | 10/09/2003 | Timothy B. Barnum | 8049.0789-01 | 7882 |

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| 22852      7590      07/19/2007 | | EXAMINER | |
| FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP | | BUTLER, MICHAEL E | |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

<table>
<tr><td rowspan="2">Office Action Summary</td><td><strong>Application No.</strong><br>10/681,183</td><td><strong>Applicant(s)</strong><br>BARNUM ET AL.</td></tr>
<tr><td><strong>Examiner</strong><br>Michael Butler</td><td><strong>Art Unit</strong><br>3653</td></tr>
</table>

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)☒ Responsive to communication(s) filed on <u>26 April 2007</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)☒ Claim(s) <u>11-44</u> is/are pending in the application.

    4a) Of the above claim(s) <u>11-27</u> is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) <u>28-44</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

## Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

## DETAILED ACTION

### *Priority*

1.      Applicant's claim of priority to application 09/849994 filed 5/8/2001 which claims

priority to provisional application 60/250146 filed 12/1/2000.

### *Drawings*

2.      The drawings are acceptable.

### *Election/Restriction*

3.      Applicant's election of invention II with traverse of the restriction requirement mailed

4/4/2005 is acknowledged and was made final.

4.      Claims 11-27 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as

being drawn to a nonelected, there being no allowable generic or linking claim.

5.      The applicant argues the restriction requirement ought be withdrawn for a lack of burden.

Reverters comprise a distinct element not normally found in most sorters requiring separate

search and consideration.  The integrated postal system is capable of performing moving mail

independent of verifying postage.

        No common prior art anticipating the group I and II claims was noticed in the search of

the Group II claims, further evidencing distinction between groups I and II.

### *Claim Rejections - 35 USC § 102*

6.  The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the
basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in
a printed publication in this or a foreign country, before the invention thereof by the
applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use
or on sale in this country, more than one year prior to the date of application for patent in the United States

(e)   the invention was described in a patent granted on an application for patent by another filed in the United
       States before the invention thereof by the applicant for patent, or on an international application by another
       who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the
       invention thereof by the applicant for patent.


7.      Claims 28 and 35-38 and 42-44 are rejected under 35 U.S.C. 102(b) as being anticipated

by Haruki et al. 4507739 which discloses all the claimed elements including:

(Re: cl 28) Receiving mail at the postage verifier (c4 L 1-18)
Verifying and canceling postage by the postage verifier (c4 L 1-18)
Positioning the mail pieces output from the postage verifier in a same configuration in a single
file line (c2 L 47-c3 L 25);
Sending, vie an upward module, the mail pieces from the postage verifier to the overhead
transport (c2 L 47-c3 L 25);
Receiving the mail pieces by the overhead transport (c5 L 6-18)
Transporting the mail pieces through the overhead transport (c5 L 6-18)
Sending, via the downward module, the mail pieces from the overhead transport to the mail
sorter, and sorting the mail premised upon destination (c5 L 19-31)
(Re: cl 35) wherein directing mail pieces up an upward module comprises directing mail of a
specific type up the upward module and directing mail pieces of a different type into one or more
stackers  (C3 L 62-c4 L 17)
(Re: cl 36) wherein directing mail pieces up an upward module comprises diverting mail to one
or more stackers when an error occurs downline from the upward module (c4 L 1-17 )
(Re: cl 37) wherein directing mail pieces down a downward module includes directing mail
pieces into one or more stackers when the mail sorter is unavailable (c4 L 1-17)
(Re: cl 38) receiving a delivery item from an output of the delivery item processing machine
after the delivery item processing machine processes the delivery item (c4 L 1-18)
transporting the received delivery item from the output of the delivery item processing machine
to a first altitude that avoids interference with a work area via a processor-controlled upward
module mechanical subsystem (c2 L 47-c3 L 25);
receiving the delivery item by the overhead transport module and transporting, at the first
altitude, the delivery item beyond the work area via the processor-controlled mechanical
subsystem, transporting the delivery item from the first altitude to a second altitude via a
processor controlled overhead transport module mechanical subsystem (c5 L 6-18)
and transporting the delivery item downward the module to an input of the sorter at the second
altitude (c5 L 19-31)
(Re: cl 42) wherein the first altituted is at an overhead height that enables passage underneath (c5
L 13-18; 65 fig 2)
(Re: cl 43) wherein the delivery fee verifier checks for postage (c6 L 1-15)
(Re: cl 44) wherein the delivery item processing machine is an address encoder; and wherein
receiving the delivery item comprises: receiving the delivery item from an output of the address
encoder after the address encoder places a delivery code on the delivery item based on an address
on the delivery item (c5 L 19-31).

8. Claims 38 are rejected under 35 U.S.C. 102(b) as being anticipated by Weeks et al. 5363971

which discloses all the claimed elements including:

(Re: cl 38 )( New) A method for connecting a delivery item processing machine to a  sorter

comprising:

> receiving a delivery item from an  output  of  the  delivery  item  processing  machine
> after the delivery item processing machine processes the delivery item, transporting the
> received delivery item from the output of the delivery item processing machine to a first
> altitude that avoids interference with a work area via a processor-controlled upward
> module mechanical subsystem, receiving the delivery item by the overhead transport
> module and transporting, at the first altitude, the delivery item beyond the work area via
> the processor-controlled mechanical subsystem, transporting the delivery item from the
> first altitude to a second altitude via a processor controlled overhead transport moducle
> mechanical subsystem,  and transporting the delivery item downward the module to an
> input of the sorter at the second altitude (c7 L 15-c8 L 43)

### *Claim Rejections - 35 USC § 103*

9.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as
set forth in section 102 of this title, if the differences between the subject matter sought to be
patented and the prior art are such that the subject matter as a whole would have been obvious at
the time the invention was made to a person having ordinary skill in the art to which said subject
matter pertains.  Patentability shall not be negatived by the manner in which the invention was
made.

10.     Claim(s) 28 and 35-39 and 42-44 is/are rejected under 35 U.S.C. 103(a) as being

unpatentable over Haruki et al. 4507739 in view of Syvatsky et al. (6019364) wherein the former

discloses the elements previously discussed and the latter discloses any the elements not

inherently taught by the former including:

> (Re: cl 39) further comprising: orienting the delivery item to face in a predetermined
> direction (c5 L 32-44)

(Re: cl 44) wherein the delivery item processing machine is an address encoder; and wherein receiving the delivery item comprises:  receiving the delivery item from an output of the address encoder after the address encoder places a delivery code on the delivery item based on an address on the delivery item.

It would have been obvious for Haruki et al. to orient the mail to avoid jamming and read address and postal information as taught by Syvatsky et al. and come up with the instant invention.   It would have been obvious for Haruki et al. to encode the mail with an delivery code to assist further sorting equipment in grouping  common locale together to make delivery more efficient and verify in tracking as taught by Syvatsky et al. and come up with the instant invention.

11.     Claim(s) 28 and 31 and 35-38 and 42-44 is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Haruki et al. 4507739  in view of DeShe et al. 5293319 wherein the former discloses the elements previously discussed and the latter discloses any the elements not inherently taught by the former including:

(Re: cl 31,38) wherein positioning mail pieces includes positioning mail pieces with a stamp leading (fig 4 & 1).

It would have been obvious for Haruki et al. to orient the mail with the postage on the leading edge to read the postage and address labeling without the need to rotate the image as taught by DeShe et al. and come up with the instant invention.

12.     Claim(s) 28-30, 32-33 and 35-38 and 42-44  is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Haruki et al. 4507739  in view of Sansone 6549892 wherein the former discloses all the claimed element except those taught by the latter including:

(Re: cl 28) verifying and canceling postage by the postage verifier
(Re: cl 29)  further comprising: decoding address information on mail pieces that are determined not to include a bar code, sending bar code data corresponding to the decoded address and a mail piece identifier to a database (c 3 L 46-67)
(Re: cl 30)  wherein sorting further comprises determining whether mail pieces include a bar code; querying the database using a mail identifier to obtain bar code data for mail

pieces without a bar code; printing obtained bar codes onto corresponding mail pieces;
placing mail in stacks associated with a destination designated in bar codes on the mail
pieces (c3 L 46-67 & c4 L 20-36)
(Re: cl 32) wherein said optical character reader reviews address information on mail
pieces and forwards bar code data to a database (c3 L 46-67)
(Re: cl 33) wherein the mail sorter obtains bar code data from the database for printing
on mail pieces (c3 L 46-67).

It would have been obvious for to modify Haruki et al. to verify address information from

a database and print correct unique address bar codes because to reduce delivery errors with

presort verification as taught by Sansone and come up with the instant invention as claimed. It

would have been obvious for to modify Haruki et al. to forward scanned address information to a

database and to update database collection for future corrections as taught by Sansone and come

up with the instant invention as claimed.

13.    Claim(s) 28 and 34-39 and 44 is/are rejected under 35 U.S.C. 103(a) as being

unpatentable over Weeks in view of Syvatsky et al. (6019364) wherein the former discloses the

elements previously discussed and the latter discloses any the elements not inherently taught by

the former including:

    (Re: cl 28) verifying and canceling postage by the postage verifier (c5 L 32-45);
    (Re: cl 39) further comprising: orienting the delivery item to face in a predetermined
    direction (c5 L 32-44)

    (Re: cl 44) wherein the delivery item processing machine is an address encoder; and
    wherein receiving the delivery item comprises:  receiving the delivery item from an
    output of the address encoder after the address encoder places a delivery code on the
    delivery item based on an address on the delivery item.

It would have been obvious for Weeks to verify and cancel postage to avoid jamming and

read address and postal information as taught by Syvatsky et al. and come up with the instant

invention   It would have been obvious for Weeks to orient the mail to avoid jamming and read

address and postal information as taught by Syvatsky et al. and come up with the instant

invention.   It would have been obvious for Weeks to encode the mail with an delivery code to

assist further sorting equipment in grouping  common locale together to make delivery more

efficient and verify in tracking as taught by Syvatsky et al. and come up with the instant

invention.

14.     Claim(s) 28 and 31 and 35-39 and 42-44 is/are rejected under 35 U.S.C. 103(a) as being

unpatentable over Haruki et al. 4507739  in view of DeShe et al. 5293319 wherein the former

discloses the elements previously discussed and the latter discloses any the elements not

inherently taught by the former including:

> (Re: cl 31,39) wherein positioning mail pieces includes positioning mail pieces with a
> stamp leading (fig 4 & 1).

It would have been obvious for Haruki et al. to orient the mail with the postage on the

leading edge to read the postage and address labeling without the need to rotate the image as

taught by DeShe et al. and come up with the instant invention.

15.     Claim(s) 31 and 28 and 34-39  is/are rejected under 35 U.S.C. 103(a) as being

unpatentable over Weeks in view of DeShe et al. 5293319 wherein the former discloses the

elements previously discussed and the latter discloses any the elements not inherently taught by

the former including:

> (Re: cl 28) verifying and canceling postage by the postage verifier (c4 L 1-19)
> (Re: cl 31,39) wherein positioning mail pieces includes positioning mail pieces with a
> stamp leading (fig 4 & 1).

It would have been obvious for Weeks to orient the mail with the postage on the leading

edge to read the postage and address labeling without the need to rotate the image as taught by

DeShe et al. and come up with the instant invention.

16.     Claim(s) 38 and 40-41 is/are rejected under 35 U.S.C. 103(a) as being unpatentable over

Weeks in view of Hunter wherein the former discloses the elements previously discussed and the

latter discloses any the elements not inherently taught by the former including:

> (Re: cl 40) wherein the first altitude is sufficient to allow a pedestrian to pass between the
> delivery item processing machine and the sorter without interfering with transporting the
> delivery item (16 fig 1; c5 L 1-c6 L 17)
> (Re: cl 41) wherein the first altitude is at least  six  feet above a floor level of the work
> area (16 fig 1; c5 L 1-c6 L 17).

It would have been obvious for Weeks to us an elevated first altitude in the transport to

permit employees to access the opposite side of the equipment in retrieving fallen mail or to

permit repair personel easy access to all sides during repair and maintenance as taught by Hunter

et al. and come up with the instant invention.

17.     Claim(s) 28 and 38 and  43 is/are rejected under 35 U.S.C. 103(a) as being unpatentable

over Weeks in view of Uno et al. 5535127 wherein the former discloses the elements previously

discussed and the latter discloses any the elements not inherently taught by the former including:

> (Re: cl 28) verifying and canceling postage by the postage verifier (c13 L 51-c14 L 12; )
> (Re: cl 43)  wherein the delivery item processing machine is a delivery fee verifier; and
> wherein receiving the delivery item comprises: receiving the delivery item from an output
> of the delivery fee verifier after the delivery fee verifier verifies a delivery fee indicia on
> the delivery item (c5 L 31-41;c2 L 1-9; fig 35). Wherein the delivery fee verifier checks
> for postage

It would have been obvious for Weeks to verify and cancel postage to sufficiency to for

the package to avert shorting the post office of due funds as taught by Uno et al. and come up

with the instant invention.

18.    Claim(s) 28 and 34-38 and  44 is/are rejected under 35 U.S.C. 103(a) as being

unpatentable over Weeks in view of Mampe et al. 4992649 wherein the former discloses the

elements previously discussed and the latter discloses any the elements not inherently taught by

the former including:

>    (Re: cl 28) verifying and canceling postage by the postage verifier
>    (Re: cl 44) wherein the delivery item processing machine is an address encoder; and
>    wherein receiving the delivery item comprises:  receiving the delivery item from an
>    output of the address (c3 L 1-68).

It would have been obvious for Weeks to use a delivery encoder for addressing the mail

to efficiently direct the mail to a location and route position as taught by Mampe et al.  and come

up with the instant invention.

19.    Claim(s) 30 and 28 and 34-37  is/are rejected under 35 U.S.C. 103(a) as being

unpatentable over Svyatsky et al. in view of DeShe et al. 5293319 wherein the former discloses

the elements previously discussed and the latter discloses any the elements not inherently taught

by the former including:

>    (Re: cl 28) verifying and canceling postage by the postage verifier (c4 L 1-30)
>    (Re: cl 31) wherein positioning mail pieces includes positioning mail pieces with a stamp
>    leading (fig 4 & 1).

It would have been obvious for Svyatsky et al. to orient the mail with the postage on the

leading edge to read the postage and address labeling without the need to rotate the image as

taught by Svyatsky et al.. and come up with the instant invention.

20.    Claim(s) 29-30, 32-33 is/are rejected under 35 U.S.C. 103(a) as being unpatentable over

Weeks et al. in view of Sansone 6549892 wherein the former discloses all the claimed element

except those taught by the latter including:

>    (Re: cl 28) verifying and canceling postage by the postage verifier

(Re: cl 29)  further comprising: decoding address information on mail pieces that are
determined not to include a bar code, sending bar code data corresponding to the decoded
address and a mail piece identifier to a database (c 3 L 46-67)
(Re: cl 30)  wherein sorting further comprises determining whether mail pieces include a
bar code; querying the database using a mail identifier to obtain bar code data for mail
pieces without a bar code; printing obtained bar codes onto corresponding mail pieces;
placing mail in stacks associated with a destination designated in bar codes on the mail
pieces (c3 L 46-67 & c4 L 20-36)
(Re: cl 32)  wherein said optical character reader reviews address information on mail
pieces and forwards bar code data to a database (c3 L 46-67)
(Re: cl 33)  wherein the mail sorter obtains bar code data from the database for printing
on mail pieces (c3 L 46-67).

It would have been obvious for to modify Weeks to verify address information from a

database and print correct unique address bar codes because to reduce delivery errors with

presort verification as taught by Sansone and come up with the instant invention as claimed.  It

would have been obvious for to modify Weeks to forward scanned address information to a

database and to update database collection for future corrections as taught by Sansone and come

up with the instant invention as claimed.

21.     Claim(s) 28-30 and 32-37 is/are rejected under 35 U.S.C. 103(a) as being unpatentable

over Svyatsky et al. in view of Sansone wherein the former discloses all the claimed element

except those taught by the latter including:

(Re: cl 29)  further comprising: decoding address information on mail pieces that are
determined not to include a bar code; sending bar code data corresponding to the decoded
address and a mail piece identifier to a database ( c 3 L 46-67 )
(Re: cl 30)  wherein sorting further comprises determining whether mail pieces include a
bar code; querying the database using a mail identifier to obtain bar code data for mail
pieces without a bar code; printing obtained bar codes onto corresponding mail pieces;
placing mail in stacks associated with a destination designated in bar codes on the mail
pieces ( c3 L 46-67 & c4 L 20-36)
(Re: cl 32)  wherein said optical character reader reviews address information on mail
pieces and forwards bar code data to a database ( c3 L 46-67)
(Re: cl 33)  wherein the mail sorter obtains bar code data from the database for printing on
mail pieces ( c3 L 46-67).

It would have been obvious for to modify Svyatsky et al. to verify address information

from a database and print correct unique address bar codes because to reduce delivery errors with

presort verification as taught by Sansone and come up with the instant invention as claimed.  It

would have been obvious for to modify Svyatsky et al. to forward scanned address information

to a database and to update database collection for future corrections as taught by Sansone and

come up with the instant invention as claimed.

22.      Claim(s) 28-30 and 32-38, 44 is/are rejected under 35 U.S.C. 103(a) as being

unpatentable over Weeks et al. in view of Manduley et al. 5079714 wherein the former discloses

all the claimed element except those taught by the latter including:

> (Re: cl 28) verifying and canceling postage by the postage verifier (c4 L 29-36)
> (Re: cl 29) further comprising: decoding address information on mail pieces that are
> determined not to include a bar code; sending bar code data corresponding to the decoded
> address and a mail piece identifier to a database (c6 L 1-64)
> (Re: cl 30) wherein sorting further comprises determining whether mail pieces include a
> bar code; querying the database using a mail identifier to obtain bar code data for mail
> pieces without a bar code (c6 L 1-64) ; printing obtained bar codes onto corresponding
> mail pieces; placing mail in stacks associated with a destination designated in bar codes
> on the mail pieces (c3 L 6-22)
> (Re: cl 32) wherein said optical character reader reviews address information on mail
> pieces and forwards bar code data to a database (c6 L 1-64)
> (Re: cl 33, 44) wherein the mail sorter obtains bar code data from the database for
> printing on mail pieces (c3 L 6-22).

It would have been obvious for to modify Weeks to verify address information from a

database and print correct unique address bar codes because to reduce delivery errors with

presort verification as taught by Manduley et al. and come up with the instant invention as

claimed.  It would have been obvious for to modify Weeks to forward scanned address

information to a database and to update database collection for future corrections as taught by

Manduley et al. and come up with the instant invention as claimed.

23.     Claim(s) 28-30 and 32-38, 42-44 is/are rejected under 35 U.S.C. 103(a) as being

unpatentable over Haruki et al. 4507739 in view of Manduley et al. 5079714 wherein the former

discloses all the claimed element except those taught by the latter including:

> (Re: cl 28) verifying and canceling postage by the postage verifier (c4 L 29-36)
> (Re: cl 29) further comprising: decoding address information on mail pieces that are
> determined not to include a bar code; sending bar code data corresponding to the decoded
> address and a mail piece identifier to a database (c6 L 1-64)
> (Re: cl 30) wherein sorting further comprises determining whether mail pieces include a
> bar code; querying the database using a mail identifier to obtain bar code data for mail
> pieces without a bar code (c6 L 1-64) ; printing obtained bar codes onto corresponding
> mail pieces; placing mail in stacks associated with a destination designated in bar codes
> on the mail pieces (c3 L 6-22)
> (Re: cl 32) wherein said optical character reader reviews address information on mail
> pieces and forwards bar code data to a database (c6 L 1-64)
> (Re: cl 33, 44) wherein the mail sorter obtains bar code data from the database for
> printing on mail pieces (c3 L 6-22).

It would have been obvious for to modify Haruki et al. to verify address information from

a database and print correct unique address bar codes because to reduce delivery errors with

presort verification as taught by Manduley et al. and come up with the instant invention as

claimed.  It would have been obvious for to modify Haruki et al. to forward scanned address

information to a database and to update database collection for future corrections as taught by

Manduley et al. and come up with the instant invention as claimed.

24.     Claim(s) 28-30 and 32-38, 42-44 is/are rejected under 35 U.S.C. 103(a) as being

unpatentable over Haruki et al. 4507739 in view of Burns et al. 7170024 wherein the former

discloses all the claimed element and further discloses:

> (Re: cl 41) the first altitude is reached by the upward module in a maximum horizontal
> displacement of six feet (c3 L 6-25; c2 L 47-c3 L 25)

The latter discloses any further elements not explicitly or inherently disclosed by the

former including:

(Re: cl 40) the first altitude is at least 8 feet six inches ( c30 L 46-59)

It would have been obvious for to Haruki et al. to place the first transport altitude at least

eight feet six inches to clear common industrial door arches and allow persons to walk

underneath as taught by Burns et al. and come up with the instant invention

### *Response to Amendment/Arguments*

25.     Applicant's amendment was effective in overcoming the rejections under 35 USC. 112

first paragraph. Appliant's amendment was effective in overcoming the anticipatory rejection

evidenced by Syvatsky et al..The applicant's arguments have been fully considered but they are

unpersuasive in overcoming the rejections evidenced by Weeks et al. teaches transporting the

mail pieces overhead of the sorter.  Regarding Syvatski et al., upward and downward read on

upstream and downstream directions.


### *Conclusion*

26.     The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

27.     Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Exmr. Michael E. Butler whose telephone number is (571) 272-

6937.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Patrick Mackey, can be reached on (571) 272-6916.   The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be

obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael E. Butler
Patent Examiner